

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

GOVERNOR GREG ABBOTT, in his official
capacity as Governor of the State of
Texas,

and

GOVERNOR MIKE DUNLEAVY, in his official
capacity as Governor of the State of
Alaska,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity as
President of the United States, *et al.*,
Defendants.

No. 6:22-cv-3-JCB

DEFENDANTS' PROPOSED CASE SCHEDULE

Pursuant to the Court's February 24, 2022, order, ECF No. 24, Defendants respectfully request that the Court enter an order setting the following case schedule:

August 19, 2022	Defendants to provide Administrative Record
September 9, 2022	Parties to file cross-motions for summary judgment, not to exceed 60 pages
September 30, 2022	Parties to file cross-responses, not to exceed 60 pages
October 14, 2022	Parties to file cross-replies, not to exceed 20 pages

Defendants submit that this proposed schedule will allow for adequate time for Defendants to prepare and produce any applicable administrative records in this case. Defendants do not anticipate that any party will need to conduct additional discovery before proceeding to summary judgment. This proposed summary judgment schedule will also provide the Court with thorough

briefing and analysis of the complex legal issues before the Court. Defendants have conferred with Plaintiffs and understand that Plaintiffs plan to respond to this proposal in due course.

Date: July 15, 2022

Respectfully submitted,

BRIT FEATHERSTON
United States Attorney
Eastern District of Texas

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney
General

/s/ James G. Gillingham
JAMES GILLINGHAM
Assistant U.S. Attorney
Eastern District of Texas
110 N. College Street; Suite 700
Tyler, Texas 75702
E-mail: James.Gillingham@usdoj.gov
(903) 590-1400
(903) 590-1436 (fax)
Texas State Bar # 24065295

ANTHONY J. COPPOLINO
Deputy Director

/s/ Zachary A. Avallone
ANDREW E. CARMICHAEL
Senior Trial Counsel
ZACHARY A. AVALLONE
(DC Bar No. 1023361)
COURTNEY D. ENLOW
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Tel: (202) 514-2705
E-mail: zachary.a.avallone@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on July 15, 2022, this document was filed through the Court's CM/ECF system, which automatically serves all counsel of record.

/s/ Zachary A. Avallone

CERTIFICATE OF CONFERENCE

I certify that on July 15, 2022, counsel for Defendants conferred telephonically with counsel for Plaintiffs. Plaintiffs have indicated that they plan to respond to this proposal in due course.

/s/ Zachary A. Avallone